

Message Text

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ORIGIN L-03

INFO OCT-01 EA-07 ISO-00 SNM-02 JUSE-00 DEAE-00 SCS-03

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DRAFTED BY L/SFP:LGFIELDS,JR:NMC

APPROVED BY S/NM:AMB. VANCE

JUSTICE - MR. J. MCLAUGHLIN(SUBS)

DEA; MR. M. ANTONELLI

L/EA: MR. P. NORTON

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FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK IMMEDIATE

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E.O. 11652:N/A

TAGS: SNAR, CGEN, TH

SUBJECT: REQUEST TO TAKE DEPOSITIONS FROM U.S. CITIZENS
IN THAI PRISON

REFS: (A) BANGKOK 22725 (B) KENNEY-MEINHART TELECON, 29
OCTOBER 1975

1. FACTS AS STATED IN REF A HAVE BEEN CONFIRMED BY DEPT.
SIMILAR ASSURANCES FROM COOPERATING COUNTRIES IN OTHER
INSTANCES HAVE BEEN OBTAINED WHEN DEPOSITIONS ARE TAKEN.
U.S. LAW AND PRACTICE PERMIT DEFENDANTS AND THEIR ATTORNEYS
TO BE PRESENT AT TAKING OF DEPOSITIONS AND HAVE THE RIGHT
TO EXAMINE DEPONENTS. PER REF B JUSTICE UNDERSTANDS THAT
THAI GOVERNMENT CAN BE PREVAILED UPON TO PROVIDE WRITTEN
ASSURANCES THAT IT WILL PERMIT ENTRY AND NOT ARREST THE
U.S. DEFENDANTS WHILE IN BANGKOK FOR THE DEPOSITIONS.
FYI: THROUGH COOPERATIVE ARRANGEMENTS THAI NARCOTICS
AUTHORITIES HAVE BEEN FURNISHED INFORMATION ON U.S.

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INVESTIGATION OF THE CONSPIRACY WHICH FORMS BASIS OF U.S.

PROSECUTION AND WHICH OBVIOUSLY IDENTIFIES ACTIVITIES AND ACCOMPLICES IN THAILAND. THUS, CONCEIVABLY THAI GOVERNMENT COULD HAVE A PROSECUTORIAL INTEREST IN THESE DEFENDANTS AND THIS UNDERLIES THE COURT'S INTEREST IN ASSURANCES OF ENTRY

AND NON-ARREST. END FYI

2. DEFENDANTS EXPECTED TO TRAVEL TO THAI ASSUMING RTG'S WILLINGNESS TO COOPERATE ARE: CHARLES GRAY, ALBERT GRAY, NATHANIEL TARVER, CLARENCE LARKIN, DERECK ESTIS AND BARBARA GASTON. NAMES OF THEIR COUNSEL ARE NOT AVAILABLE AT THIS DATE BUT WILL BE PROVIDED LATER.

3. PRESIDING JUDGE HAS PRELIMINARILY DENIED U.S. MOTION TO TAKE DEPOSITIONS; HOWEVER, WRITTEN THAI ASSURANCES REQUESTED COULD FORM BASIS FOR REQUEST FOR RECONSIDERATION AND/OR APPEAL OF DENIAL RULING. DEPT THEREFOR REQUESTS THAT EMBASSY EXPLORE THAI DISPOSITION TO GRANT ASSURANCES AND COOPERATE IN THIS ASPECT OF THIS IMPORTANT U.S. NARCOTICS PROSECUTION. PLEASE ADVISE ASAP.

4. DEPT HAS REQUESTED THAT JUSTICE UTILIZE STATE/EMBASSY CHANNEL IN WORKING THESE ARRANGEMENTS OUT IN THAT IT DOES INVOLVE GOVERNMENT-TO-GOVERNMENT COMMUNICATION AND COOPERATION AT THAT LEVEL.

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